

REMARKS

Applicant has carefully studied the Office action of May 13, 2010 and requests reconsideration of the rejections in view of the foregoing remarks.

To assist the examiner in better appreciating the differences and the art of record, applicant will briefly summarize his invention. As recited in pending claim 1, applicant claims a broadcast router that comprises at one first chassis and at least one second chassis. The first chassis has one of a first, a second, and a third configuration. The first configuration includes a plurality of input cards and no output cards. The second configuration includes a plurality of output cards and no input cards. The third configuration includes a plurality of input and output cards. The second chassis has one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively. The ability of each of the first and second chassis to have alternate parity configurations affords applicant's broadcast router greater flexibility as compared to broadcast routers of the prior art.

Applicant acknowledges the Examiners withdrawal of the previous rejections under §103(a) which identified Kimura et al as a primary reference.

35 U.S.C. §103(a) Rejection of Claims 1-3, 5, 6, 12, and 13

Claims 1, 2, 5 and, 6 stand rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter "Toutant et al") in view of U.S. Patent 6,459,699 to Kimura et al. (hereinafter "Kimura et al.).

Applicant respectfully traverses the rejections in view of the teachings of the references. Toutant et al. discloses programmable interconnect system for scalable router. As shown in Figures 3A and 3B, and as pointed out by the Examiner, Toutant et al discloses the connection of router two chassis' for the purpose of expanding the router size. However, Toutant et al fails to disclose or remotely suggest the alternate parity configuration of the present invention as set forth in claim 1 which states "...at least a second chassis, having one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively."

The Examiner has admitted this deficiency of Toutant et al in the office action by stating “Toutant et al is not clear on multi-stage I/O configurations.” In an effort to show this feature, the examiner again cites Kimura et al. for this purpose. Despite the Examiner’s reliance on the abstract, Col. 1, line 48 – Col. 3, line 57 and Figure 1 of Kimura et al, nothing in these cited passages, or anywhere in Kimura et al, contains any disclosure or suggestion of the alternate parity configuration recited in applicant’s claims. In particular, Kimura et al. says nothing about “at least a second chassis, having one of the second configuration and first configuration when the first chassis has the first and second configuration, respectively.”

As applicant has stated in the previous response, Kimura et al. concerns an Asynchronous Transfer Mode (ATM) switching module for routing packets from a switch input to a switch output. The Examiner has previously admitted that Kimura does not specifically disclose a broadcast router. Indeed, Kimura et al. concerns an ATM switch which functions to route a packet from a single input to a single output, as known in the art. As applicant has stated previously, the routing of packets in an ATM switch to multiple outputs (as is desirable in a broadcast router) would cause errors in the operation of the ATM switch. Thus, once again, The Examiner’s proposed combination would not afford the necessary predictability as required by *KSR International v. Teleflex, Inc.* 550, U.S. 398, 127 S. Ct. 1727 (2007). Since, the teachings in Kimura would lead a skilled artisan away from any combination with Toutant et al., the examiner’s rejection must fail.

35 U.S.C. §103(a) Rejection of Claim 3

35 U.S.C. §103(a) Rejection of Claims 4 and 11

35 U.S.C. §103(a) Rejection of Claims 7-10

Claim 3 stands rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter “Toutant et al”) in view of U.S. Patent 6,459,699 to Kimura et al. (hereinafter “Kimura et al.”), in further view of U.S. Patent No. 7,415,551 to Pescatore et al.

Claims 4 and 11 stand rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter “Toutant et al”) in view of U.S.

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Patent 6,459,699 to Kimura et al. (hereinafter "Kimura et al."), in further view of U.S. Publication No. 2003/0058880 to Sarkinen et al.

Claims 7-10 stand rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Publication No. 2003/0099247 to Toutant et al. (hereinafter "Toutant et al") in view of U.S. Patent 6,459,699 to Kimura et al. (hereinafter "Kimura et al."), in further view of U.S. Patent No. 5,550,815 to Cloonan et al.

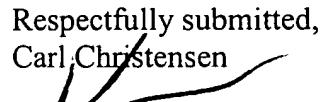
Claims 2-11 ultimately depend from independent claim 1, and as such, the failure of the combined teachings of Toutant et al. with those of Kimura et al. results in a failure of each dependent claim rejection as applied to this combination in view of any of the further cited art. None of the Pescatore et al., Sarkinen et al., or Cloonan et al. references remedy the deficiencies of Toutant et al. and Kimura et al. Therefore, claims 2-11 patentably distinguish over the art of record.

Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. **07-0832**.

By:

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Patent Operations
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Report to Data Base

Docket No. PU030245

Serial No. 10/568,035

Filed: Herewith

Atty/Agent: RBLJig

PATENT OPERATIONS

MAILING TO U.S. Patent and Tr.
ATTN: Mail Stop Patent Appli

Inventor(s): Carl CHRISTENSEN

Title: BROADCAST ROUTER WITH MULTIPLE EXPANSION CAPABILITIES

APPLICATION AS FILED

Enter Date	Enter Number	Check Type	Check Items Mailed with Application
App. Mailed		Independent Claims	<input type="checkbox"/> Original US Nat'l <input type="checkbox"/> Declaration
		Claims in Excess 20	<input type="checkbox"/> Divisional <input type="checkbox"/> Assignment & Recordation Sheet
		Claim Pages	<input type="checkbox"/> Continuation <input type="checkbox"/> Preliminary Amendment
		Specification Pages	<input type="checkbox"/> CPAIRCE <input type="checkbox"/> Priority Document -
		Sheets of Drawings	<input type="checkbox"/> Reissue <input type="checkbox"/> IDS 1449 with References
		Abstract Pages	<input type="checkbox"/> Re-Exam <input type="checkbox"/> US Provisional Transmittal
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Mailed	Due	AMENDMENTS	APPEALS
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			APPEALS
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			FEE
		After Rejection	Notice of Appeals
		After Final Rejection	Appeal Brief
		After Allowance UJR312	Reply Brief
		Supplemental	Petition To Withdraw.
		Voluntary	REQUESTS
		Letter to Exam/Draftsperson	Ext. Time§1.13(b)
		W/Drawing Correction(s)	Petition
		Pg(s). of Formal Dwg(s).	Ext. Time§1.13(b)
		OTHER	Cert. of Correction
			Charge
		OTHER	Total Fee Amt
			OTH
		Req. License to Foreign File	Petition to Revive
		Reg. Priority 35 USC 119	Prev. Submitted
			Response to OA
		RCE	Fax Transmittal Conf
		Supp IDS Statement	Sheet
		Supp IDS w/8 References	Letter from Atty re: Unintentional Abndmt
		Certificate of Mailing	Notif. of Foreign Declaration Suppl. Declaration

